चेम्बर्स आफ कामर्स हैं उन लोगों की लिखा जिसमें उन से यह अनुरोध किया कि वह अपनी प्रोपोजल्ज के साथ जल्द से जल्द हमारे पास आएं । उसके बाद मैंने नवम्बर में एक मीटिंग ली और मीटिंग लेने के बाद इंडस्ट्रीज के जितने भी रिप्रेजेंटेटिव्ज थे उनको तफसील में बातें बताई गई । उस की तफसीलात बात में तीन दिसम्बर को हमारे सचिव ने एक मीटिंग बुला कर उनको दी और सारी बातें समझाई । मुझे अब यह बात समझ में नहीं आई कि घाटे की बात कहां से आ गई । प्रश्न पूछा गया है घाटा जो हुआ है वह किस तरह से हुआ । हमारी हद तक हमारे पास ऐसी कोई सूचना नहीं है जहां पर घाटा हुआ है इस देरी की वजह से ।

MR. CHAIRMAN: Next question.

Unorganised labour

*182. SHRI KALPNATH RAI: Will the Minister of LABOUR be pleased to state:

(a) what is the percentage of unorganised labour as compared to organised labour in the country;

(b) what is the estimated number constituting unorganised labour in the country; and

(c) whether there are any schemes under Government's consideration to better the lot of workers under the unorganised sector?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) and (b) Workers are enumerated in the census by the sector of activity in which they are engaged, e.g., agriculture and allied occupations, mining and quarrying manufacturing, construction, services etc. It is, therefore, not possible to State accurately the percentage of organised and unorganised labour.

(c) Welfare activity by the Ministry of Labour covers workers in iron-ore, manganese and chrome-ore mines; lime-stone and dolomite mines; mica mines and beedi workers. A pilot scheme to ensure enforcement of minimum wages in agriculture has also been launched in the Seventh Plan as a Centrally sponsored scheme. A scheme for child workers in the Sivakasi area has also been launched. In addition, the poverty alleviation programmes are also aimed at bettering the lot of the poorest workers, especially, in rural areas, who form the bulk of unorganised workers there.

श्री कल्पनाथ राय : सभापति महोदय, क्या मंत्री महोदय यह बताने की कृपा करेंगे कि हिन्दुस्तान के गांवों में खेती करने वाले असंगठित मजदूरों की संख्या जानने के लिए क्या सरकार कोई सर्वे करायेगी ?

SHRI P. A. SANGMA: It is a very difficult to give a definition of organised and unorganised sector. I will seek the indulgence of the House and the Chairman to explain it a little bit. According to the ILO concept, those workers who have got unionised and who have the bargaining power are organised labour and those who have no organisation and who have no bargaining power are unorganised labour. But this applies mainly to developed countries. As far as our country is concerned, if we apply that particular criterion, then, the number of organised labour will be very very small because it is only six million; only six million workers are unionised. Only six million are affiliated to Central trade union organisations. But as far as the unorganised sector is concerned, the National Commission on Labour has tried to give a sort of definition. The Commission has simply said—I will quote the definition given by the Commission:

> "Those workers who have not been able to organise in pursuance of common objectives because of the constraints such as casual nature of Employment, ignorance, illiteracy, small size of establishment with low capital investment, scattered nature of establishment, superior strength of the employer operating singly or in combination."

These are the guidelines which have been prescribed for determining unorganised sector by the National Commission. On the basis of that, we have tried to analyse the number of workers in the organised and

unorganised sector. This is purely an analysis which we have done. It is not on the basis of the Plan document or any other thing. The Plan document says that as on 31st March, 1985, the total number of work force is 292 million. Out of the 292 million of that workforce, the organised sector which is unionised, both recognised and unrecognised, roughly constitute 24 million.

SHRI NIRMAL CHATTERJEE: Unrecognised by whom?

SHRI P. A. SANGMA: The recognised unions are those which are affiliated to central trade union organisations and whose membership have been verified. They constitute 6 million. The rest are those who do not belong to any central trade union organisation and whose membership have not been verified. As I said, the number of workers in the organised sector some of whom are members of recognised as well as unrecognised unions, whose membership have been verified as well as unverified, is 24 million. (*Interruption*). The number of workers in the unorganised sector comes to 117 million. These are persons who are employed and wage-earners. But the number of those who are self-employed, whom also we consider to be unorganised, is 150 million. Therefore, 150 plus 117 million form the unorganised sector according to us.

श्री कल्पनाथ राय : सभापति महोदय, माननीय श्रम मंत्री जी ने कहा है कि इनके अनुकूल 3 करोड़ या 4 करोड़ अनआर्गेनाइज्ड, असंगठित मजदूर हैं । यह भी सही है कि जो असंगठित खेतिहर मजदूर हैं उनमें से 90 प्रतिशत बिलो पावर्टी लाइन हैं । तो क्या सरकार उन मजदूरों को पावर्टी लाइन से ऊपर लाने के लिए कोई राष्ट्रीय कमीशन या कोई ठोस और समबद्ध कार्यक्रम बनाने जा रही है जिससे कि वे राष्ट्रीय जीवन की मुख्य धारा में शामिल हो सकें ?

SHRI P. A. SANGMA: I have already outlined the activities which we are undertaking, in part (c) of my original answer. Sir, to be very frank, I am not very happy with the word 'schemes', because the question asked was about the schemes which are undertaking. There are very few schemes. But if the hon. Member had asked about the steps which the Government are taking to improve the conditions of the workers, I would have mentioned the steps which the Government have taken. But the hon. Member asked about the schemes which have been mentioned in the answer.

श्री अश्विनी कुमार : सभापति महोदय, अभी अनआर्गेनाइज्ड लेबर के बारे में मंत्री जी ने कुछ आंकड़े दिये हैं । मैं उनसे जानना चाहता हूं कि बहुत सारे जो आर्गेनाइज्ड भी हैं, उनकी भी देखभाल पूरी तरह से नहीं हो रही है । सेंट्रल गवर्नमेंट वालों की हो रही है, प्रांतीय सरकार वालों की हो रही है । पर उसके नीचे जाएं, तो डिस्ट्रिक्ट बोर्ड, म्युनिसिपेलिटी आदि में जो हैं उनकी देखभाल हो नहीं रही है और अगर हो रही है, तो मैं जानना चाहूंगा कि उनकी क्या देखभाल हो रही है ?

नम्बर दो, आदिवासी और भिन्न-भिन्न क्षेत्रों की लेबर कांट्रेक्ट लेबर के रूप में दूरदराज जाती है और जाकर बहुत काम करती है और सारे देश के अंदर जो कंस्ट्रक्सन का काम हो रहा है, यह ऐसी ही लेबर करती है, जो दूरदराज से उड़ीसा से, छोटा नागपुर से जाकर सब जगह काम करती है ।

उनके उत्थान के लिए और उनको प्रापर वेजेज मिलें, इसके लिए क्या-क्या कदम उठाये गये हैं, क्या माननीय मंत्री जी बताने की कृपा करेंगे ?

SHRI P. A. SANGMA: Sir, it is very difficult to say at what point of time the workers will be satisfied with the wages that they are getting because their demands go on increasing, but what we have tried to analyse is on the factual basis, on the realities that are happening in our country today. From the analysis we find that the workers who are in the organised sector, they are the people who get minimum Rs. 1200 a month, whereas the unorganised sector which constitute about 90 per cent, their average earning is Rs. 350 per month assuming that they

are engaged for 30 days. So, this is the wide difference which we are trying to overcome and I agree that we should give more attention to the 90 per cent unorganised workers who are just getting on an average Rs. 350 per month as against the organised sector where their minimum wage earning is Rs. 1200 per month.

SHRI AJIT P. K. JOGI: Mr. Chairman, Sir, as admitted by the hon. Minister, the largest chunk of unorganised labour is in the form of agricultural labour. Their number is about 12 to 15 crores in the country. This is just a rough estimate and the only protection perhaps that we are conferring on them is in the form of minimum wages which are fixed by various State Governments. The experience is that the machinery which has been set up to ensure that at least minimum wages which are only a pittance are paid to the agricultural labourers, is not at all effective. There is no one to ensure that at least the minimum wage which the State Government is fixing is paid to these people. I wish to know if the Government has plan to set up a more effective machinery mainly to ensure that these 15 crore agricultural labourers, at least, got the minimum wages which have been fixed for them by the State Governments.

SHRI P. A. SANGMA: The total number of agricultural labour is not 15 crores but 18 crores. The agricultural workers who are wage earners are 75 million and those who are self-employed or are working in their own agricultural fields, their number is 110 million. So, that makes 185 million agricultural workers. (*Interruptions*). The figure is given on the basis of the Plan document and the figure available with the Director General of Employment and Training in the Government of India. I agree with the hon. Member that the implementation of minimum wages is not up to the mark. It is primarily the responsibility of respective State Governments to ensure the enforcement of the Minimum Wages Act and I agree, as I said that it has not been done to the level of our satisfaction. We in the Labour Ministry are trying to utilised the 1987 year as the year of implementation of Minimum Wages Act. So, that is the single programme that we have taken on the top priority. The second thing which I would like to point out is that we in the Government are very much concerned about the conditions of the rural labour in the unorganised sector. If I may remind the hon. House, the Prime Minister himself in his Budget speech had announced the constitution of a National Commission on Rural Labour which we are processing now.

श्री जगदम्बी प्रसाद यादव : माननीय सभापति जी, छोटा सा सवाल हमारे माननीय सदस्य का था और वह था सर्वेक्षण के बारे में कि कृषि मजदूरों का सर्वेक्षण कराने के लिए सरकार कोई रास्ता निकालना चाहती है और इसीलिए मैंने मंत्री जी को टोका भी था । मेरा छोटा सा सवाल है, बिहार से कृषि मजदूर लाखों की संख्या में पंजाब, हरियाणा में आते हैं और उसी तरह से राजस्थान बिहार, उत्तर प्रदेश और उड़ीसा से भी लाखों की संख्या में मजदूर दिल्ली जैसे बड़े नगरों में कंट्रेक्ट लेबर के रूप में आते हैं । ऐसे मजदूर न तो आर्गेनाइज्ड क्षेत्र में पड़ते हैं और न अन-आर्गेनाइज्ड क्षेत्र में पड़ते हैं और इनकी देखभाल करने वाली न कोई यूनियन है और न इसके लिए किसी राज्य सरकार या केन्द्र सरकार ने कोई व्यवस्था की है। इसलिए मैं नमाननीय मंत्री जी से जो कि मजदूरों के क्षेत्र मे इन्टरेस्ट लेते हैं जानना चाहता हूं कि ऐसे मजदूर जो कि किसी भी क्षेत्र में नहीं हैं न आर्गेनाइज्ड और न अनआर्गेनाइज्ड क्षेत्र में ये मजदूर ऐसे प्रदेशों में जाकर 4—6 महीने कृषि का काम करते हैं और फिर कान्ट्रेक्ट लेबर पर काम करते हैं आप इनके लिए कोई व्यवस्था करें जिससे कि इनको उचित मजदूरी मिले, उचित राशि मिले, रहने की व्यवस्था तथा इनके लिए स्वास्थ्य व्यवस्था मानवीय आधार पर हो सके ।

SHRI P.A. SANGMA: Sir, I forgot to mention about the survey. There was a specific question on survey. The planning Commission is making a survey. The *National Sample Survey organisation* is conducting a survey in the country about

the position of employment and unemployment and I belive that they will start that job in June this year.

As far as migrant labourers are concerned, there is an Act called the Inter-State Migrant Workmen Act. This is an Act which regulates the working conditions of the migrant workers. And it is the joint responsibility of both the Government —the State from where the labourers are migrating and the State to which they are migrating—to see that the provisions of the Inter-State Migrant Workmen Act are properly implemented.

SHRI JAGDAMBI PRASAD YADAV: Who will coordinate?

SHRI N.K.P. SALVE: Since the Minister is so ably handling the questions, I am inspired to intervene on a matter which is a subject. I am not very familiar with it. I would like to know from him that the basic problem of the agricultural labour is total instability about the source of income and unless this is done, this whole talk of alleviation of poverty is highly illusory. May I therefore know from the Minister, because in Maharashtra we are now starting service cooperative societies and the problem of service cooperative societies is the bargaining power which the employers or rich agriculturists have, if some sort of insurance scheme could be implemented through the cooperative societies? A very great stride would have been made by this. May I ask of the Minister whether such a scheme of providing an insurance scheme *via* the cooperative societies could be considered as some pilot projects in some of the blocks?

SHRI P. A. SANGMA: Sir, actually a debate has been going on in the country as to whether agricultural labourers in our country should be looked after or administered at the national level by the Government of India or whether we should leave it to the State Governments to see how to deal with the agricultural labour. A number of meetings have been held even at the Ministers' level and the consensus was that for the present we should leave it to the State Governments. There has also been a demand that we should enact a Central legislation as far as agricultural labourers are concerned.

But the decision taken at the Labour Ministers' conference was that it should not be the subject of the Central Government to have legislation for agricultural labour and the State Governments should do it. It was left to the State Governments. Unfortunately, except the State of Kerala no State Government has come forward to legislate as to how to look after them. Therefore, it is at this stage now. But, as I have pointed out, the Prime Minister has announced about constitution of a National Commission on Rural Labour, which actually means mostly the agricultural labour. We will see how they come out as to how to deal about it. Now, as far as the insurace scheme is concerned, it is again a matter which has to be decided by the State Governments. I am told that the Government of Kerala ,again, is thinking of this insurance scheme and in recent meeting I had with the Kerala Minister at Trivandrum, he has told me that he is already thinking of having an insurance scheme for agricultural workers.

SHRI M. KADHARSHA: Sir, the unorganised sector is the most exploited lot. whether they are women or children, they are given the worst kind of treatment and on many occassions they have to succumb to the express wishes of the employers. Sir here is a glaring news in the *Indian Express* of yesterday 9th March, which states that "the honourable Minister himself led a five Member parliamentary delegation to Ferozabad in U.P. and there 50 child workers were locked up in a dark room in order to hide from the notice of the delegation. Only by a rare chance they came to know of the instance and the children were recovered." So this clearly shows that mere passing of laws will not help. We have already passed the Child Labour Bill, but many of the Bills do not go beyond the passing stage. So I would like to know from the honourable Minister that effective steps the Government is going to take for implementation and monitoring. I think he cannot go to all the places like this.

SHRI NIRMAL CHATTERJEE: Why does not he invite him to Sivakasi also?

SHRI P. A. SANGMA: I had been to Sivakasi. Why not? Sir, it is true that a team of Members of Parliament constituted by the Ministry of Parliamentary Affairs as a study group of the Consultative Committee, decided to visit some areas and see the conditions of the child labour. So we went to Ferozabad and we wanted to see how the conditions of the working children in the Glass and bangle industry were. Since our visit was publicized, naturally the employers tried to ensure that the child labour was not visible on that day. Perhaps there were some employers who did not know that we were going, and when we landed on the premises or when we were on the way to the premises, maybe they were informed, and in one of the factories they locked up a few children. Thanks to Mrs. Bhatt, an honourable Member of this House—she is not here to day; she has been in the field working for them—that day she tried to find out this and that, and she located a particular room wherein the children were locked up. When we brought out those children, about 50 of them, they all told us that there were more children locked up in another room. So I sent three Members of Parliament, one from this House Mr Majhi, who is here now—and two other Members of Parliament with a Magistrate and police to the other room. The room was broken open because they were denying that there were children there. Ultimately we found that some children were locked up there and they were being suffocated.

SHRI GHULAM RASOOL MATTO: How many?

SHRI P. A. SANGMA: Must have been another 50 or 60 more. Well, we got five of them arrested on the spot on that day. Then I called a meeting of the employers. Besides telling them that we are going to be very strict in the implementation of the child Labour Act, I told them that "I must also point out to you that yours is a nice city. Why are you spoiling the name of the city because, in any international conference when the topic of child labour is discussed, the name of Ferozabad figures prominently? You must be ashamed of this". I told them, "As citizens of this city you must yourself realise that your name should not be tarnished in international conferneces". So, we talked with them very frankly. I asked them how long it would take for them to abolish child labour. I wanted that it should be done in two months' time. They said, "Kindly give us six months' time". After we came back, after two months, I sent another team without any information to them. I am happy to inform the House that out of 6,000 estimated children working in Ferozabad city, 4,000 have been rescued. 4,000 are not working. There are 2,000 children more who are working in Ferozabad. Now our problem is, having rescued them from this hazardous industry we have to rehabilitate these 4,000 children. Well, we are taking steps. I am only narrating this to say that Government is taking enough measures. But it will not be done, it cannot be done overnight. Steps have already been taken, and I am sure that the message that we are going to be very strict in this matter has gone around. In fact, I am facing a lot of delegations. People are apprehensive of losing jobs, some poor people and others. Our own weakness is until and unless we are able to provide them an alternative means of livelihood, unless we are able to rehabilitate them, it will be very, very difficult for their survival, which we have discussed in this House, the conditions and I do not want to go into them. But I can only assure, Sir, that this year, we have said, will be a year of implementation of the labour laws, particularly those relating to minimum wages. So long we have been only bringing new and amending the existing law. I have stopped any initiation of new laws, any initiation of amending any laws. Those which are still there before the house will be discussed. We are not initiating any new law. We will concentrate ourselves on the implementation of the existing laws.

MR. CHAIRMAN: Next question, Mr. Advani.

SHRI CHATURANAN MISHRA: Mr. Chairman, you said that I would have my chance. Will you allow me?

MR. CHAIRMAN: The answers have been so exhaustive.

SHRI CHATURANAN MISHRA: Only one. You just told me.

MR. CHAIRMAN: There is no promise. Chair never promises anybody.

SHRI CHATURANAN MISHRA: You told me.

MR. CHAIRMAN: I said, "You may have"; I did not say, "You will have."

SHRI NIRMAL CHATTERJEE: Chair need not keep to his commitment.

Indian Settlers in Hong Kong

*183. SHRI LAL K. ADVANI:†
SHRI ASHWANI KUMAR:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the 17,000 odd Hong Kong Indians are facing an uncertain future as Hong Kong is to be trasferred to China in 1997;

(b) whether some of them have mooted a plan to develop the Andaman Islands as a free port; and

(c) if so, what is Government's reaction to the proposal and also to the uncertain future of Indians in Hong Kong?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI K. NATWAR SINGH): (a) The status of approximately 15,000 Indian passport holders living in Hong Kong is not expected to undergo any change after China resumes sovereignty over Hong Kong from 1-7-1997. However, about 4,500 persons of Indian origin in Hong Kong, who hold British Dependent Territory Citizenship (DBTC) passports, will cease to be BDTCs with effect from 1-7-1997, but will be entitled to hold "British Nationals (Overseas)" passports, which will, however, not give them the right of abode in the U.K.

(b) Yes, Sir.

(c) No decision has been taken regarding the proposal to develop the Andaman Islands as a free port.

The Government of India are of the view that the BDTCs of Indian origin are the responsibility of the U.K. Government, which should take necessary steps to ensure that they are not rendered Stateless. The Government of India are in touch with the U.K. Government on this matter.

SHRI LAL K. ADVANI: Mr. Chairman, this question relates to Indian settlers in Hong Kong, 15,000 of them holding Indian passports and 4,500 of Indian origin holding British passports or what are known as British DTCs. Sir, technically, thse 4,500 holders of British passports are not our responsibility. As the Minister himself has indicated, after 1947 they will cease to be BDTCs but will be entitled to hold "British Nationals (Overseas)" passports which will, however, not give them the right of abode in the U.K. For all practical purposes it seems that the British Government has thrown them overboard. If it had been a question of whites, the British Government would have had a different attitude. But because they happened to be of Indian origin, therefore, it is that the British Government has taken this attitude.

Now, the first question of mine is whether our policy framework in respect of the Indians settled in Hong Kong depends on technicalities alone, and according to which technicality it is the responsibility of the British Government, or do we think that the Government of India is also responsible for ensuring that these compatriots of ours under no circumstances will become Stateless citizens? This is my fire question.

SHRI K. NATWAR SINGH: The period between...

MR. CHAIRMAN: You have to elaborate the last sentance in your answer: "The Government of India are in touch with the UK Government on this matter." What is it that you are doing?

†The question was actually asked on the floor of the House by Shri Lal K. Advani.